

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

DONELLA G. CRIST,

*Plaintiff,*

v.

THE DUNLOP HOUSE, LLC,

*Defendant.*

Civil Action No. 3:19-cv-497

Removed from Circuit Court for the City  
of Colonial Heights, Case No. 570 CL 19-  
238

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. §§ 1331, 1441(a), and 1446, Defendant The Dunlop House LLC (“Defendant”), by counsel, hereby removes the above-captioned action from the Circuit Court for the City of Colonial Heights, Virginia, to this Court.

1. On May 21, 2019, Donella G. Crist (“Plaintiff”) filed a Complaint in the Circuit Court for the City of Colonial Heights, Case No. 570 CL 19-238. A copy of Plaintiff’s Complaint is attached as Exhibit A.

2. Defendant was served with the Complaint on June 19, 2019. No other pleading or summons in this action had been served previously on Defendant. As such, this Notice is timely filed within thirty days after the date on which Defendant received an initial pleading. *See* 28 U.S.C. § 1446(b)(1). Defendant has not yet answered or responded to the Complaint. The time to do so has not yet expired.

3. As set forth in the Complaint, “[t]his action is brought . . . to enforce the statutory and regulatory provisions of Title I of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12111 *et. seq.* . . .” Complaint ¶ 1.

4. Accordingly, removal is proper under 28 U.S.C. § 1441(a) because this civil action “aris[es] under the . . . laws . . . of the United States,” 28 U.S.C. § 1331—namely, the ADA.

5. This action is appropriately removed to this Court as the United States District Court for the district and division embracing the place where the original action was filed. *See* 28 U.S.C. § 1446(a).

6. A copy of this Notice and written notification of its filing will be served on Plaintiff promptly and contemporaneously filed with the Clerk of the Circuit Court for the City of Colonial Heights. *See* 28 U.S.C. § 1446(d).

7. Pursuant to Fed. R. Civ. P. 81(c)(2)(C), Defendant will file a responsive pleading within seven days of the filing of this Notice of Removal.

WHEREFORE, Defendant The Dunlop House, by counsel and pursuant to 28 U.S.C. § 1441 et seq., removes this action from the Circuit Court for the City of Colonial Heights, Virginia, case number 570CL19-238, to the United States District Court for the Eastern District of Virginia, Richmond Division, and respectfully requests that this action proceed in this Court as an action properly removed to it.

Dated: July 9, 2019.

Respectfully submitted,

**THE DUNLOP HOUSE, LLC**

By:                     /s/                      
J. Fielding Douthat, Jr.

J. Fielding Douthat, Jr.  
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Woods Rogers PLC  
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Counsel for The Dunlop House, LLC

**Certificate of Service**

I hereby certify that, on July 9, 2019, I caused a true and correct copy of Defendant's  
Notice of Removal to be served on the following by Overnight Delivery:

Donella G. Crist  
26388 Mason Road  
Jarrett, Virginia 23867  
Plaintiff Pro Se

/s/  
J. Fielding Douthat, Jr.  
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